

Appn. Number 10/823,247 (Philippe Meert) DRAFT Amnt.

Page 5/6

**REMARKS**

Applicant has amended claims 1 and 38 to define the invention more particularly and distinctively so as to overcome the technical rejections and define the invention patentably over the prior art.

The last O.A. rejected independent claim 1 on Petkoff and Van Rensburg. Independent Claim 1 has been amended to define patentably over these references, and any combination thereof. Applicant request reconsideration of this rejection, as now applicable to claim 1, for following reasons:

- (1) There is no justification, in Petkoff and Van Rensburg which suggest that these references be combined.
- (2) Even if Petkoff and Van Rensburg were to be combined they would not show all the novel physical features of claim 1.
- (3) These novel physical features of claim 1 produce new and unexpected results and hence are unobvious and patentable over these references.

**The references and differences of the present invention thereover**

Prior to discussing the claims and the above three points, applicant will first discuss the references and the general novelty of the present invention and its obviousness over the references.

**Petkoff's** device transfers the liquid from the housing to the wiping pads using a arrangement of channels running from the housing into the arms and ending in the wiping pads causing the device to leak. Further Petkoff's device does not incorporate a atomise system and trigger where the cleaning liquid is atomised directly onto the spectacle lens of the eyeglass and can atomise a pre defined and controlled amount of liquid from the housing directly onto the spectacle lens. Applicant's apparatus is using a controlled atomise initiator constructed and arranged close to the proximal end of the arms, atomising the liquid directly onto the spectacle lens.

**Van Rensburg's** device shows a cleaning device employing a manual pump but It does not contain two arms with wiping pads. Van Rensburg's device has a arrangement of bristles constructed in a rim, however this is not suitable for cleaning eyeglasses. Applicants device employs two arms depending from the housing with wiping pads attached at there distal ends.

Appn. Number 10/823,247 (Philippe Meert) DRAFT Amnt.

Page 6/6

Petkoff and Van Rensburg do not contain any justification to support their combination, much less in the manner proposed.

With regard to the proposed combination of Petkoff and Van Rensburg, it is well known that in order for any prior art references themselves to be validly combined for use in prior-art § 103 rejection, the references themselves must suggest that they be combined.

Also applicant submit that the novel physical features of claim 1 and 38 are also unobvious and hence patentable under §103 since they produce new and unexpected results over Petkoff and Van Rensburg, or any combination thereof.

These new and unexpected results are the ability of applicant's apparatus to atomise a controlled amount of cleaning liquid directly onto the eyeglasses with a incorporated atomiser trigger that is located close to the distal end of the arms so that the user can easily atomise the spectacle lens and instantly place the arms over the spectacle lens to wipe it clean, and is incorporated in a device having two resilient arms with suitable soft wiping pads at there distal ends for properly cleaning the spectacle lenses. The physical structure of applicant's apparatus also permits for the device to be very compact which is an important factor in view of a user friendly pocket eyeglass cleaner.

#### Conditional Request for Constructive Assistance

Applicant respectfully request the constructive assistance and suggestions of the Examiner in order that the undersigned can place this application in allowable condition.

Very respectfully,

\_\_\_\_\_ Applicant Pro Se \_\_\_\_\_

Philippe Meert  
Aalgemndorp 84  
9420 Aalgem,  
Belgium  
Tel. +32 (0) 53624141  
Fax +32 (0) 53 789476  
email: [philippemeert@skynet.be](mailto:philippemeert@skynet.be)